

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

EMMANUEL ADEYINKA,  
Plaintiff,

No. 3:25-cv-00223-SB

OPINION AND ORDER

v.

FRED MEYER STORES, INC., WILSON  
COLEMAN, *Employee*, GAVIN WOLFE,  
*Police Officer*, CARTER MCKINNEY, and  
GRANT HELZER,

Defendants.

**BAGGIO, District Judge:**

On March 11, 2025, Magistrate Judge Stacie F. Beckerman issued her Findings and Recommendation (“F&R”, ECF 4), recommending that this Court stay this action pending resolution of Plaintiff Emmanuel Adeyinka’s criminal case in state court and order Plaintiff to file a status report on his criminal case within sixty days. Plaintiff did not file objections.<sup>1</sup> This Court ADOPTS Judge Beckerman’s F&R.

**DISCUSSION**

The magistrate judge makes only recommendations to the court, to which any party may file written objections. 28 U.S.C. § 636(b)(1)(B), (C). If a party objects, the court “shall make a de novo determination of those portions of the report or specified proposed findings or

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<sup>1</sup> At this stage of the proceedings, Defendants have not been served with the summons and complaint and therefore have not made an appearance in this action.

recommendation to which objection is made.” *Id.* § 636(b)(1)(C). However, the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the F&R to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Ramos*, 65 F.4th 427, 433 (9th Cir. 2023). While the level of scrutiny that the court applies to its F&R review depends on whether a party has filed objections, the court is free to accept, reject, or modify any part of the F&R. 28 U.S.C. § 636(b)(1)(C); *see also Thomas*, 474 U.S. at 154.

### CONCLUSION

Upon review, the Court agrees with Judge Beckerman’s recommendation and adopts the F&R (ECF 4) in full. Accordingly, this action is STAYED pending resolution of Plaintiff’s criminal case in state court. Plaintiff is ORDERED to file a status report on his criminal case within sixty days of the date that this Opinion and Order is filed.

IT IS SO ORDERED.

DATED this 2nd day of April 2025.

  
AMY M. BAGGIO  
United States District Judge